

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That thirteen new sections be and they are hereby added to Article 16 of the Annotated Code of Maryland (1939 Edition), title "Chancery", to be under new sub-title "Uniform Absent Persons Act", said new sections to be known as Sections 280A to 280M, to follow immediately after Section 280 of said Article, and to read as follows:

UNIFORM ABSENT PERSONS ACT

280A. (1) *Death Not to be Presumed from Mere Absence.* In any proceeding under this sub-title where the death of a person and the date thereof, or either, is in issue, the fact that he has been absent from his place of residence, unheard of for seven years, or for any other period, creates no presumption requiring the Court or the jury to find that he is now deceased. The issue shall go to the Court or jury as one of fact to be determined upon the evidence.

(2) *Exposure to Specific Peril to be Considered in Every Case.* If during such absence the person has been exposed to a specific peril of death, this fact shall be considered by the Court; or if there be a jury, shall be sufficient evidence for submission to the jury.

280B. *Insurance Policy Provisions Invalid.*

(1) No provision concerning the effect to be given to evidence of absence or of death in any policy of life or accident insurance or in the charter or by-laws of any mutual or fraternal insurance association hereafter executed or adopted, shall be valid.

(2) When any such policy, charter or by-laws hereafter executed or adopted contains a provision requiring a beneficiary to bring suit upon a claim of death within one year or other period after the death of the insured, and the fact of the absence of the insured is relied upon by the beneficiary as evidence of the death, the action may be begun, notwithstanding such provision in the policy or charter or by-laws, at any time within the statutory period of limitation for actions on contracts in writing dating from the date of the giving of written notice of such absence to the insurer, which notice shall be given within one year from the date when the beneficiary last heard of the absent insured. If such notice is not given, then the statutory period runs from the time when the absent person was last heard of by the beneficiary.